

ACCUSED POLICE SLAYERS ARE DENIED BAIL

SMALL COUNSEL OPENS ARGUMENTS FOR DEFENSE

LEFORGEE TELLS JURY GOVERNOR WAS WITHIN LAW EVIDENCE MONDAY

C. C. LE FORGEE IN STATEMENT SAYS EXECUTIVE'S POSITION CAN BE CONSIDERED IN RETURNING VERDICT AT CLOSE OF TRIAL.

Waukegan, Ill., May 12.—Emphatically his carefully prepared statement with vigorous gestures, Charles C. Le Forgee, chief counsel for Governor Small, hammered home to the jury the opening declarations of the defense in the conspiracy trial today.

High spots in his statement followed. Emphasized that the first line of the governor's defense is to be made behind the strictest interpretation of the law.

That the jury has a right to consider the governor's high position. That the Grant Park Bank, alleged fictitious institution through which Governor Small and others are accused of operating a conspiracy to defraud the state, was not the phantom pictured by the prosecution, but a bona fide and functioning institution until the state bank law of 1920 put an end to all private banks.

That the Grant Park Bank paid to the state more than 2 per cent interest, whereas other banks, numbering into the hundreds, never paid more than 2 per cent.

That securities given by the Grant Park Bank were as good or better than other banks.

That there was no break by the alleged conspiracy of the unbroken chain of the system in operation in the treasury's office for twenty years.

That Andrew W. Russell, former treasurer and now state auditor, as well as other treasurers, kept accounts in books in Chicago and other parts of the state.

Tracing the life of Len Small from a humble beginning, Mr. Le Forgee asserted that at no time while Mr. Small was sub-treasurer of the United States in 1905 did he handle less than \$28,000,000.

"Gentlemen," he said, "you will try Len Small the man as any other man, but in trying Len Small you have a right to consider his character. You have a right to consider it is a long, calm from a little beginning as a graduate on railroad right of way to the supreme power of the state."

He then told the jury that the state treasury act of 1908 is unconstitutional, but added that Small while treasurer did not violate the act.

ICE CREAM SODAS AND SUNDAES BACK AT PRE-WAR PRICES

OTTAWA REFRESHMENT PARLORS CUT PRICES ON DELICACIES AS WARM SEASON GETS UNDER WAY.

Ice cream sodas and sundaes, those delectable little parcels of food, without which a hot summer day would be almost unbearable, have hit the toboggan slide in Ottawa, and are scooting back to rock bottom prices. While in the neighboring cities a year ago prices of sundaes and sodas dropped back to two jimmies, Ottawa merchants refused to be shaken on their prices and continued to charge fifteen cents straight. There was no going two for a quarter, or no reduction for the consumption of a large number.

Even books of seven sodas or sundaes for a dollar could not be purchased here. One La Salle street dealer tried to break down the price several months ago, by dropping down to two jimmies, but the rest refused to follow suit, so the price remained up, and people continued to patronize the fifteen cent soda stores in large numbers.

About two weeks ago a new fountain was installed, and the owner advertised that all sodas and sundaes would be ten cents. With two stores arranged on the ten cent side, the ice cream lovers of Ottawa waited for the rest of the merchants to follow suit.

Then the price crumblings, which held out solid for some time at fifteen cents, started.

Yesterday one other loop confectionery went over to the ten cent side and placed a sign in the window, announcing their reduction to the world.

This morning another La Salle street confectionery, which is one of the oldest and has one of the largest patronages of any ice cream store in the city, posted a newly painted sign on their window, stating that in the future their sodas and sundaes would be sold for the tenth of a dollar.

Sign makers are expecting orders for more ten cent soda signs within a few days, and people who have followed the rise and fall of prices declare that the back bone of the fifteen cent soda is broken forever.

OTTAWA WINS VALLEY SWIMMING HONORS

The Ottawa township high school swimming team entered at the annual Illinois Valley track and field meet at La Salle today, and placed first in the tank events held this morning with a total of 21 points. By winning the relay race, the feature of the tank events, the Ottawa swimmers were given ten extra points and the Illinois valley swimming title.

La Salle was second in the swimming with 17 points. Hall finished third with four and Streator last with three.

Frederick Fisher, of Ottawa, took first place in the 40 yard swim. William, of Streator, took second place and Samelinski, of La Salle, finished third.

In the 100 yard swim Fritz Damsman, O. H. S. freshman, was named out of first place by Walleck, of La Salle. Swanson, of Hall, took third place.

In the fancy diving contests, Weaver, of La Salle-Peru high, won first place. Fischer, of Ottawa, took second place and Doyle, of Hall, finished third.

La Salle finished second to Ottawa in the relay swimming race while Hall finished third.

MANY PLANNING TRIPS THRU WESTERN STATES

A number of Ottawa people are planning to visit California within the next month, taking advantage of the excursion rates which go into effect for the summer conventions.

On next Monday evening Probate Clerk and Mrs. W. C. Flick and daughter Marjorie and son William will leave for California. Mr. Flick, who has been ill, will go to San Francisco to put himself under the care of a specialist. Mrs. Flick and her children will go to Long Beach to visit Mr. Flick's sister, Mrs. W. T. Smith.

On the same train which Mr. and Mrs. Flick travel Miss Flora Cullen will go to Long Beach for a sojourn. Mrs. Cordelia Hatheway will also be a California passenger on the same train, going out to travel thru the west.



NAME MOTHERS' DAY TO OBSERVE HOUR OF REMEMBRANCE

OTTAWA WILL PAY TRIBUTE TO THOSE WHO SERVED AND SACRIFICED IN PUBLIC SERVICES TO BE HELD SUNDAY AT O. H. S.

Public services will be held in the auditorium of the Ottawa High School Sunday afternoon from 2:30 to 3:30, the exercises being in accord with the American Legion Auxiliary's adopted policy for a "remembrance hour" once each year. The remembrance hour idea has been given the endorsement of the American Legion and the national organization of the auxiliary, together with other patriotic bodies.

Sunday afternoon's services will be in honor of the mothers who gave their sons to the country for service in the world war. The Ottawa auxiliary hopes to make it a lasting memorial to these mothers, and should be given the support of the people of Ottawa in a large turn out for the program, which will be as follows:

Invocation, Rev. George C. Fetter. Solo, Mrs. Walter Prudham. Remarks by Dr. Karr, commander of Ottawa Post No. 23, American Legion. Solo, Justin Jaeger.

Address, Rev. G. W. Farrar. Solo, Vera Belle Ham. Benediction, Rev. William S. Whitsett. Dr. Karr will preside.

The American Legion, War Mothers and some of the other patriotic organizations are expected to attend the exercises. A special invitation has been issued the Grand Army of the Republic, Woman's Relief Corps, Daughters of the American Revolution, Spanish War Veterans and the Red Cross branch.

The Auxiliary Resolution. The resolution adopted by the state convention endorsing remembrance hour follows:

"Whereas, The government of the United States called for our homes the very best of our men to assist in the protection of helpless women and children, and to keep the shores of our land free from invasion, thus preserving the sanctity of the American fireside and future posterity.

"Be it resolved, That this organization of mothers, wives, daughters and sisters, known as the American Legion Auxiliary, an organization composed of men and women of the greatest world war, foster and cherish the memory of all who served and sacrificed."

ASK MERCHANTS TO DECORATE FOR MOTHERS

By request of the War Mothers, the Business Men's Association and Chamber of Commerce are making a request of the Ottawa Merchants to display some decorations and American flags beginning Saturday morning and continuing until Monday morning in commemoration of Mothers' Day.

CODE COMMITTEE ON PHRASEOLOGY MEETS IN OTTAWA

OFFICIALS OF CONSTITUTIONAL CONVENTION GATHER HERE FOR SESSION WITH PRESIDENT CHARLES WOODWARD.

The work of assembling the new constitution for the state of Illinois, which has been adopted by the Constitutional Convention is being carried on in Ottawa at the present time. Yesterday Chairman Elam L. Clarke, of Waukegan, of the phraseology and style committee of the convention, whose city it is to iron out and assemble the constitution arrived in Ottawa with the expert force of the committee, to hold sessions with President Charles E. Woodward, of this city, and complete the work assigned to them.

The committee went in session in the appellate court building. They will not complete their work until sometime after June 1.

Assisting Mr. Woodward and Mr. Clarke in the work of polishing up the constitution are the expert force of the committee, Vernon A. Lavery, of Chicago, and Arby Mints, of this city, who is the legal secretary of Mr. Woodward. Miss Mayne Flynn, of Ottawa, and Miss Nicholson, of Chicago, are doing the clerical and stenographic work.

The constitutional convention has adopted all the measures for the proposed constitution at the second reading, and all that remains to be done before the ratification is the assembling and polishing up of the provisions. However, this is one of the most difficult pieces of work of the entire convention.

It is expected that the entire committee of phraseology and style, which consists of seven members of the Constitutional Convention will meet in Ottawa sometime next week after next to confer with the experts in regard to the work that is being done at the session in this city.

MONSTER METEOR STRIKES VIRGINIA

Norfolk, Va., May 12.—The meteor which flashed across the skies of Virginia last night and rocked several cities by its fall to earth was found today twelve miles northeast of Blacksburg. The meteor landed in a grove of trees, making a depression 500 feet in area. Several trees were knocked down and buried beneath it. It appeared to be composed of some metallic substance.

ESTATE OF THOMAS TULLY BEQUEATHED TO CLOSE KINDRED

PROPERTY OF DECEASED COMMISSION MERCHANT VALUED AT \$6,000 IN PETITION FOR LETTERS TESTAMENTARY.

The will which disposed of the estate of the late Thomas Tully, veteran commission merchant was drawn on the day he passed away, April 3 of this year. The document was filed for probate late yesterday. Al F. Schoch was chosen by Mr. Tully as the administrator of his estate. The will was witnessed by Dr. B. E. La Due and R. A. Green.

Mr. Tully left a house and lot in Ottawa valued at \$3,000 and money, notes and personal property valued at \$3,800. The petition asking that the will be admitted for probate was signed by Al F. Schoch.

The document provides that \$50 shall go to the testator's brother, John, whose address on the petition is listed as unknown. A brother, William, of Waukegan, Wis., is left \$100 bequest.

The residue of his estate is to be equally divided between his brother, James Tully, of this city, and his sisters, Mrs. Nellie Nink, Mrs. Nora Gahan and Mrs. Mary Holmes, of this city, and Miss Anna Tully, of Grand Rapids, Mich.

Shortly after Mr. Tully's death, a petition was filed in the court asking that an administrator be appointed to dispose of his stock of vegetables in order that they would not spoil. The petition stated that the testator left a will which would be filed later. Mr. Schoch was appointed administrator to serve until the will was filed.

Limit On Arguments.

Before the attorneys started their arguments the time was limited to five hours, which will put the case in the hands of the jury some time late this afternoon.

Attorney H. M. Kelly for the proponents opened the arguments. He made a strong plea to allow the will to stand. Following him, Attorney A. E. Butters for the contestants reviewed the case for the jurors. Mr. Butters was followed by Attorney L. O. Browne, who finished summing up the case for the contestants and a strong plea to allow the will to stand.

The last attorney to speak was A. J. O'Connor, who closed the arguments for the proponents.

Yesterday afternoon Attorney John Coleman, who drew the will and has been one of the attorneys for the proponents, withdrew from the case. He was then placed on the stand in rebuttal testimony to tell of drawing the will.

Southwick Estate Probated.

The estate of the late Mrs. Jessie Southwick who died at her home in Streator on May 18, 1921, was filed for probate today. Mrs. Southwick left real estate valued at \$7,000. As she died without making a will, her heirs

MURPHY, SHEA AND MADER NAMED IN GRAND JURY BILLS

True bills voted last night by the county grand jury charging "Big Tim" Murphy, Fred Mader and Cornelius Shea "the big three" of local labor circles and five others with murder in connection with the death of two policemen, were formally returned before Judge Scanlan today. Judge Scanlan immediately ordered warrants issued for the men who have been held in jail without being booked, since day before yesterday.

DOCTORS OF COUNTY WANT ENLARGED T. B. SANITARIUM

MEDICAL SOCIETY PASSES RESOLUTION CALLING UPON SUPERVISORS TO INCREASE SIZE OF SOUTH SIDE INSTITUTION.

A move to get the La Salle county board of supervisors to enlarge the present county tuberculosis sanitarium has been started by the La Salle county medical society. The physicians of the county were unanimous in their opinion that the sanitarium was not large enough nor did not possess equipment enough to care for the residents of the community who are suffering a tuberculosis.

At present there is a large waiting list of county residents who are seeking admission to the sanitarium for treatment. If these patients who need treatment could be admitted to the sanitarium at once their recovery could be accomplished much quicker and the death rate of tuberculosis would be greatly reduced in the county.

At the semiannual meeting of the medical association on April 25, a resolution was unanimously adopted asking for the enlargement of the institution. After it had been presented a motion was made by Dr. E. W. Weiss of La Salle and seconded by Dr. Wilson of Streator, asking that it be unanimously adopted, which was carried.

The resolution reads as follows: "Whereas, it is the unanimous opinion of all the physicians here assembled in a meeting of the La Salle county medical society that the present buildings and equipment of the La Salle county tuberculosis sanitarium are inadequate to care for all the tubercular patients of La Salle county, and

"Whereas, there is a large number of sick people with tuberculosis all over the county on the waiting list, asking to be admitted for treatment. Be it resolved, that the physicians of La Salle county here assembled petition and ask our county board of supervisors of La Salle county to do all in their power to secure more funds and add more rooms and equipment for the use of the sanitarium board to enable them to care for all the tubercular patients of the county who should be admitted into the sanitarium for treatment."

"Be it further resolved, that the secretary of the La Salle county Medical society send a copy of these resolutions to the board of supervisors, and to all newspapers of the county."

band Eugene Southwick, of Monroe street, Streator, and her children, Anna, Elmer and Herbert Southwick, Dean Bingham and Dorothy Moberly will inherit the estate.

Will Contest Closes.

The closing arguments in the Borngasser will case started this morning. Yesterday afternoon the proponents finished presenting their rebuttal testimony about 4 o'clock, and court was adjourned until this morning.

One of the surprise passages of the trial was encountered in the rebuttal testimony, when Attorney John E. Coleman, withdrew his appearance as an attorney for the defense. Mr. Coleman with Attorneys H. M. Kelly and A. J. O'Connor had been representing the defendant Frederick C. Borngasser during the hearings.

Mr. Coleman was then presented as a witness to give rebuttal testimony for the proponents. He told of drafting the will of the testator, Mrs. Catherine Borngasser, and said that she instructed him just how the bequests were to be made.

The last witness who testified in the case, was Miss Meta Edith Borngasser, a daughter of Frederick C. Borngasser, executor of his mother's will, and the principal heir to her estate. Miss Borngasser had testified on two occasions in the suit before, once as one of the witnesses who signed the will, and the witness chair almost three entire afternoon and the whole of the next morning.

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JOHN DEVANEY, 69. CLAIMED BY DEATH

John Devaney, 69, prominent resident of this city, passed away at his home at 726 E. Congress street yesterday afternoon about 2:30 o'clock, following a year's illness of Bright's disease. Altho Mr. Devaney had been in poor health for that length of time his death came as a great shock to his many friends. Funeral services will be held tomorrow morning at 10 o'clock from St. Columba church. Burial will be made at Calvary cemetery, West Ottawa.

Mr. Devaney was born in Grundy county, January 23, 1852. When but fifteen years of age his mother died, and two years following his father passed away. He made his home in Seneca for a few years and was united in marriage to Miss Mary Slattery, of that city in 1884. He was a resident of Ottawa for the past thirty years. For a long time Mr. Devaney operated a soap and soda factory at the rear of the Ottawa hotel.

Surviving he leaves his widow, Mrs. Mary Devaney, who resides in this city.

Always.
The best angle from which to approach any problem is the try-angle.